

PROB 12C
(Rev. 2/13)

UNITED STATES DISTRICT COURT

for

DISTRICT OF NORTH DAKOTA

Amended Petition for Warrant or Summons for Person under Supervision

Name of Person Under Supervision: Luke Aaron Follet Jr. Case Number: 0868 1:20CR00102

Name of Sentencing Judicial Officer: Daniel M. Traynor, U.S. District Court Judge

Date of Original Sentence: May 10, 2021

Original Offense: Ct. 1: Assaulting and Resisting a Federal Officer
Ct. 2: Assaulting Resulting in Substantial Bodily Injury to Intimate Partner

Original Sentence: 18 months incarceration; 3 years supervised release

Revocation Sentence: 6 months incarceration; 2 years supervised release

Type of Supervision: TSR

Date Supervision Commenced: 11/2/2022

Asst. U.S. Attorney: Brandi Sasse Russell

Defense Attorney: Scott Rose

PETITIONING THE COURT

☒ To issue a warrant

☐ To issue a summons

The probation officer believes that the person under supervision has violated the following condition(s) of supervision:

Violation No. Nature of Noncompliance

- 1) **On December 02, 2022, the defendant was unsuccessfully discharged from Centre Inc. in Fargo, North Dakota due to threatening staff. This is in violation of special condition number eight (8) which states if during the period of supervised release, the supervising probation officer determines you are in need of placement in a Residential Re-Entry Center (RRC), you must voluntarily report to such a facility as directed by the supervising probation officer, cooperate with all rules and regulations of the facility, participate in all recommended programming, and not withdraw from the facility without prior permission of the supervising probation officer.**
- 2) **On February 06, 2023, the defendant provided a drug screen which was positive for marijuana while residing at F5 Sober Living in Fargo, ND. This is in violation of**

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special condition number one (1) which states you must totally abstain from the use of alcohol and illegal drugs.

- 3) **On May 10, 2023, the defendant provided a drug screen which was positive for THC, the defendant admitted having ingested marijuana and taking "Certo Sure Jell" and drinking lots of water with the hopes to flush his system. This is in violation of special condition number one (1) which states you must totally abstain from the use of alcohol and illegal drugs and special condition number two (2) which states you must submit to drug/alcohol screening to verify compliance and tampering with the collection process or specimen may be considered the same as a positive test result.**
- 4) **On July 22, 2023, the defendant was cited by Bismarck Police Department with Open Containers Prohibited (Case # BI-2023-CR-01923). According to the police report, the defendant had shoplifted a 750ml bottle of 99 Bananas from Captain Jacks in Bismarck. The defendant had already been trespassed from the location on May 31, 2019. Bismarck Police made contact with the defendant, and he admitted to having stolen the bottle of alcohol from Captain Jacks. On September 05, 2023, the defendant was charged with Shoplifting (Case # BI-2023-CR-02409) and Criminal Trespass (BI-2023-CR-02410) due to this incident. This is in violation of mandatory condition number one which states you must not commit another federal, state or local crimes and special condition number three (3) which states you must not knowingly enter any bar, tavern or similar establishment without first obtaining the permission of the probation officer**
- 5) **On September 05, 2023, the defendant provided a drug screen which was positive for marijuana. The defendant stated he had ingested THC Wax and THC Oils prior to entering treatment on July 24, 2023. This is in violation of special condition number one (1) which states you must totally abstain from the use of alcohol and illegal drugs.**
- 6) **On September 07, 2023, the defendant was brought to Ward County Jail for detoxification from alcohol. This is in violation of special condition number one (1) which states you must totally abstain from the use of alcohol and illegal drugs.**

U.S. Probation Officer Recommendation: It is respectfully recommended that a warrant be issued for the arrest of Mr. Luke Follet Jr. and hearings be held to determine if he has violated the terms and conditions of his supervised release.

☒ The term of supervision should be:

☒ Revoked.

☐ Extended for _____ years, for a total term of _____ years.

☐ The conditions of supervision should be modified as follows:

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on September 12, 2023

/s/ Travis J. Denslake
U.S. Probation Officer

THE COURT ORDERS:

- ☐ No Action.
- ☒ The Issuance of a Warrant/Matter Sealed Pending Arrest.
- ☐ The Issuance of a Summons.
- ☐ Other



Signature of Judicial Officer



Date